Chapter One

INTRODUCTION
Ever since India and Pakistan emerged as sovereign states in August 1947, their relations have been conditioned by certain forces. These forces were as effectively operative between September 1960 and September 1965 as they had been earlier. It was because of them that the Indo-Pakistani relations during 1947-60 "remained stabilised at the level of a restrained cold war". (1) There were, however, some exceptions to this. One was in 1947-48 when, over Kashmir, this cold war actually turned into a hot war. The others were during July-August 1953, May 1955 and again during the period from September 1958 to September 1960 when their relations indicated some improvement. In April 1950 as well there was a slight change for the better in their overall relations but it was too short. The period from September 1958 to September 1960 was, to some extent, the best, the culminating point of this period being the signing of the Indus Waters Treaty on 19 September 1960 by the Heads of Governments of the two countries and the subsequent release (on 23 September 1960) of a joint communiqué by them.

FORCES GOVERNING INDO-PAKISTANI RELATIONS: 1947-1960

The forces which conditioned Indo-Pakistani relations during the period from August 1947 to September 1960 and which thus became

(1) A Student of Indo-Pakistani Affairs, "Tashkent And After", India Quarterly (New Delhi), vol. 22 (1966), p. 3. Writing in 1959, Michael Brecher, opined: "India and Pakistan have been in a state of undeclared war, with varying degrees of intensity, throughout their brief history as independent states". See Michael Brecher, Nehru: A Political Biography (London, 1959), p. 576.
responsible for subsequent events can be discussed under three heads: (1) traditional or historical; (2) those accruing from the partition of the subcontinent; and (3) those that came up during the years since 1947.

**Historical Factors**

Traditional factors were those that were inherited by India and Pakistan from the pre-Partition history of the subcontinent, especially the relations between the Indian National Congress and the Muslim League. These were basically the following four:

(a) bitter relations between the Indian National Congress and the Muslim League during pre-Partition days; (b) opposition to the Partition by the Indian National Congress until the beginning of 1947; (c) the Muslim League's demand for parity between itself and the Congress and between the Muslims and the Hindus; and (d) ideological differences between the Indian National Congress and the Muslim League before the Partition.

**Congress-League Pre-Partition Struggle**  From the time the Muslim League was born in December 1906, to the day the Dominions of India and Pakistan emerged as sovereign states, one could hardly find any occasion when the Indian National Congress and the Muslim League agreed on any major issue, but for a short period of collaboration between them which began with the Lucknow Pact of 1916 and ended with the collapse of the Khilafat Movement in 1921. The two organizations drifted further apart when the Congress in 1927 refused to accept the amendments proposed by Mohammed Ali
Jinnah to the Nehru Report. (2) As a result of the Congress refusal to allow the Muslim League to participate in the formation of ministries in the British administered provinces after the elections held in 1937 under the Government of India Act of 1935 and the subsequent launching of the mass contact movement by the Congress to alienate the Muslim League from the Muslim masses, the Congress-League relations turned particularly bitter. (3) The Muslim League hit back by launching a vicious propaganda against the working of the Congress Ministers, (4) and on 23 March 1940 it adopted the famous Pakistan resolution demanding a separate homeland for the Muslims of the subcontinent. (5) Jinnah adopted a tough line in the Simla Conference in 1945. (6) Following a statement by Nehru, in his Press conference on 10 July 1946, in


(4) Details see in Rajendra Prasad, India Divided (Bombay, 1947), edn 3, pp. 146-54; see also Pendrel Moon's comment on Muslim League propaganda that "mountains were made out of mole-hills ...", n. 3, p. 23.


which he said that Congress regarded itself free to modify the Cabinet Mission Plan, Jinnah also rejected the Cabinet Mission Plan in 1946, although earlier he had accepted it. (7) When the Congress was invited that year to form the interim government unilaterally, the Muslim League announced 16 August 1946 as "Direct Action Day" which unfortunately led to the great Calcutta killings. (8) In October 1946 the Muslim League joined the Interim Government only to wreck it, (9) and, finally, the Congress, in desperation, agreed to the creation of Pakistan. Even after it agreed in principle to the partition of the subcontinent, the conflict between the Congress and the League continued until the actual division of India. Jinnah wanted an eight-hundred mile "corridor" to link West and East Pakistan, which was, however, tersely rejected by the British themselves. (10) After Radcliffe started redrawing the maps of Bengal and the Punjab, in accordance with the partition plan, extravagant and opposing claims were put forward by the Congress and the Muslim League. With regard to Bengal, the Muslim League demanded the partition of Greater Calcutta itself and wanted the inclusion of some predominantly non-Muslim districts in East Pakistan - demands, which, even according to a Pakistani political geographer, were "clearly extravagant" and


(8) Moon, n. 3, p. 58. See also Menon, n. 6, p. 66.


(10) Alan Campbell-Johnson, Mission with Mountbatten (London, 1951), pp. 94, 97; also see Brecher, n. 1, p. 347.
"exaggerated". (11) Some similar demands were made, on the other hand, by the Congress in the Punjab which, it is reported would have given in effect the bulk of the Punjab's irrigated land to India and which would have left only six million Muslims in the Pakistani part, as against nine million in the Indian part, of the Punjab. (12) Thus, the Congress and the League, which assumed power of India and Pakistan respectively in August 1947, had a very bad legacy of their relation. The result was that the pre-Partition Congress-League rivalry was transformed into Indo-Pakistani antagonism after 15 August 1947. As aptly stated by Keith Callard, "In large measure Pakistani feeling toward India has been a continuation of the political struggle before partition". (13)

Congress Opposition to Partition before 1947 The division of India had consistently been opposed by the Congress until it agreed to it in 1947. (14) Even at that stage Gandhi was reluctant to accept it and made a last, abortive attempt to stop India from being divided. (15) Moreover, while accepting the partition many Indian leaders still carried in their mind the dream of a united India and


(12) Ibid., p. 80.


(14) An exception to this was C. Rajagopalachari, who had agreed to it as early as April 1942. See Menon, n. 2, p. 139; also see Azad, n. 7, p. 67.

agreed to the division with reluctance. Nehru declared over the radio on 3 June 1947 that "it may be that in this way we shall reach that united India sooner than otherwise ...", (16) a view which he is said to have reiterated as late as 1960 in an interview with Leonard Mosley. (17) It would appear that he agreed to the Partition with a heavy heart. (18) Speaking at the All India Congress Committee in June 1947, the then Congress President, J.B. Kripalani, similarly held that a strong, economically successful India "can win back the seceding child to its lap" and that "the freedom we have achieved cannot be complete without the unity of India". (19) So far as Vallabhbhai Patel was concerned, it is held that he agreed to the Partition with the notion that the new state of Pakistan would never be viable (20) and that it would "eventually" join India. (21) Although on several occasions since August 1947, Nehru had stated that India never wanted to undo the

(18) About a year after the Partition Nehru was reported to have said, "We consented to the Partition because we thought that thereby we were purchasing peace and goodwill, though at a high price. ... I do not know now, if I had the same choice, how I would decide." The Hindu (Madras) dak edn, 27 July 1948. Josef Korbel contended that in his meeting with Nehru it was "revealed" that Nehru "found it difficult" to recognise the "very existence" of Pakistan. Josef Korbel, "The Kashmir Dispute After Six Years", International Organization (Boston, Mass.), vol. 7 (1953), p. 499.
(19) Congress Bulletin (Allahabad), no. 4, 10 July 1947, p. 11.
Partition (22) and that "we accepted it, we continue to accept it" (23) and although some observers, both Pakistani (24) and Western (25), believed him, and an Indian conclusively established it to be true, (26) the Pakistani leaders never took it seriously. Pakistan's first Prime Minister, Liaquat Ali Khan, repeatedly complained that the Indians had accepted partition "with strong mental reservations". (27) As late as 11 March 1960 Pakistan's Foreign Minister, Manzur Qadir, expressed his doubts about Indian intentions when he said: "However much India might protest that it has no intention ever of undoing Pakistan and however much a particular Government of Pakistan might be inclined to believe that, even the present Government of India cannot give guarantees about


(26) Sisir Gupta has established that not only did the Indian leaders actually accept the Partition but that any attempt to undo it was also neither possible nor desirable. See Sisir Gupta, "India's Policy Towards Pakistan", International Studies (Bombay), vol. 8 (1966-67), pp. 35-38, 40-42, and 33-34.

it." (28) Many Pakistani writers felt that behind many of the Indian policies towards Pakistan there was an attempt to extinguish the latter's existence. (29) They viewed every Indian attempt for greater collaboration with Pakistan with great suspicion.

Muslim League's Claim for Parity before Partition

In the forties the Muslim League had consistently claimed for parity between itself and the Indian National Congress and between the Muslims and the Hindus. The idea of negotiation "with any party on a footing of equality for the setting up of a Provisional Government of India" had been expressed as early as 20 August 1942 by the Executive Council of the Muslim League. (30) During the Simla Conference, on 12 July 1945, Jinnah further made it clear to the Viceroy that in the Executive Council of the Viceroy there should be parity not only between the Hindus and the Muslims but between the Congress and the League, a point which he had emphasized as early as 1 July 1940 in his letter to Lord Linlithgow. (31) On 11 May 1946, in a memorandum to the Cabinet Mission, the Muslim League again made it clear that "there should be parity of


representation between the groups of provinces (the groups representing the Hindu and Muslim majority areas) in the Union Executive and the Legislature, if any". (32) Thus, as Norman D. Palmer rightly observes, "Before partition Jinnah maintained that the Muslims of India ... should be treated on terms of complete equality; likewise, the Muslim League should be treated on the same basis in relation to the Indian National Congress." (33) The result was that even after the Partition, Pakistan asserted that Pakistan and India were equal successors to the Indian Empire (34) and "the primary aim of the foreign policy of Pakistan is ... equality of status with India — to be even with India". (35) But the fact was that Pakistan that emerged as a result of the Partition was very small and weak as compared with India. It was a "moth-eaten" Pakistan, as Jinnah called it. (36) This created an obsession in the Pakistani mind and was considered to be responsible for the Pakistani attempt not only to obtain the accession of some non-Muslim native States but also to keep many others sovereign and independent so that their addition to India might not tilt the balance still further against Pakistan. (37) More than anything

(35) Ibid., p. 11.
(37) Sisir K. Gupta, "India-Pakistan Conflict: The Real Causes" in S.C. Gogia, ed., The Fight For Peace: The Long Road to Tashkent (New Delhi, 1966), p. 358. According to W.A. Wilcox, the "League leaders ... thought that India would be extraordinarily weak at the time of its independence". W.A. Wilcox, Pakistan: The Consolidation of a Nation (New York, N.Y., 1963), p. 47.
else, this obsession can be said to be responsible for Pakistan's search for a protective umbrella — first its move for a Pan-Islamic Union, then its alliance with the USA, and still later its close friendship with Communist China.

**Congress-League Ideological Differences before Partition**

The pre-Partition claim of the Indian National Congress that it was a multi-religious political organization and the assertion of the Muslim League that it alone represented the Muslims of the sub-continent also conditioned Indo-Pakistani relations after 1947. As is well known, it was the Muslim League's demand for the exclusive right to nominate all the Muslim members of the Viceroy's Executive Council and its refusal to allow the Congress to nominate any Muslims to that body even from the latter's own quota that brought about the failure of the Simla talks of 1945. (38) This divergent outlook of the Congress and the League manifested itself later in the irreconcilable claims of India and Pakistan to Kashmir. (39)

**Factors Resulting from Partition**

In addition to abovementioned historical factors, there were forces which emerged from the partition of the subcontinent and which had their impact on Indo-Pakistani relations. These were of three types. The first was the creation of Pakistan with two

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(38) For Jinnah's insistence that the Muslim League alone could nominate the Muslim members to the Viceroy's Executive Council, see text of letters from Jinnah to Lord Wavell of 7, 9, and 14 July 1945 in Hasan and Hasan, eds, n. 5, pp. 95, 97, and 102. See also Menon, n. 2, pp. 190, 202-3, 209, and 211; Hector Bolitho, Jinnah: Creator of Pakistan (London, 1956), reprinted, p. 157; and Michael Edwards, The Last Days of British India (London, 1963), pp. 87-88.

wings — East Pakistan and West Pakistan — each separate and different from the other. This led the Pakistani Government to adopt policies which had a direct effect on Indo-Pakistani relations. Secondly, the physical division of the subcontinent created many irritating problems between them. Under this category came the border problem, the minority problem, the issue of the use of waters of certain western and eastern rivers of the subcontinent, the question of distribution of assets and liabilities of the old Central Government and the like. Under the third category were problems resulting from the transfer of power by the British to India and Pakistan without settling the fate of the native states of the subcontinent.

Problems Resulting from the Creation of Two Units of Pakistan

Pakistan was created with two units, West and East, separated from each other by over a thousand miles. There was also the disparity of language, culture, and economy between the two units "acute enough to threaten the union itself". (40) As Keith Callard wrote, "In West Pakistan there is a morbid suspicion of the loyalty of the East to the Pakistan concept." (41) The result was that the Pakistani Government had to harp on Islam, (42) which was the only common

(40) Tayyeb, n. 11, p. 180.
(41) Callard, n. 34, p. 8.
(42) See Jinnah's message to East Pakistan in his broadcast in Dacca on 28 March 1948 saying that "Pakistan is the embodiment of unity of the Muslim nation and so it must remain". Quaid-i-Azam Mahomed Ali Jinnah, Speeches As Governor-General of Pakistan 1947-48 (Karachi, n.d.), p. 104; also see his speech at Dacca on 21 March 1948 stating that they belonged to "a nation" because they were Muslims. Quoted in Sisir Gupta, "Politics in Pakistan", Indian and Foreign Review (New Delhi), vol. 1, 1 November 1963, pp. 19-20. In this article of Sisir Gupta on p. 20 Pakistan's over emphasis on Islam is also given.
positive link between the two wings. This complicated the Indo-
Pakistani minority problem. Again, to forge unity between the two 
units of Pakistan, the Pakistani Government had to play up the only 
other common factor between them, a negative one, namely their 
suspicion and dislike of India. (43) This was hardly conducive to 
any improvement in Indo-Pakistani relations. In the opinion of a 
keen Indian observer of Pakistani affairs, the conflict between East 
and West Pakistan led Pakistan to resolve this problem of nationhood 
"in terms of her conflict with India" and that "the continued state 
of tension with India is too important a political asset for Pakistan 
to be easily dispensed with". (44)

Problems Arising from the Physical Partition of the Indian 
subcontinent The division of the subcontinent created many irritants 
between India and Pakistan. These have been discussed below:

(1) Border Problems: The Partition created boundaries between 
India and Pakistan which were not only unnatural and undemarcated 
but also at places undetermined and disputed. These led to numerous 
controversies and armed clashes. (45)

(ii) Minority and Allied Problems: Although the Partition was 
accomplished primarily on the basis of Jinnah's two-nation theory,

(43) In his broadcast of 28 March 1948, Jinnah warned East Pakistanis 
that "our enemies are fully alive" to the possibilities of 
the disintegration of Pakistan and that the political agencies 
and organs of the Indian Press "are now trying to disrupt 
Pakistan from within by insidious propaganda". See Jinnah, 
n. 42, p. 104.

(44) Sisir Gupta, "Indo-Pakistan Relations", International Studies, 
vol. 5 (1963-64), p. 177. See also Chakravarty, n. 39, p. 127.

(45) Details given in Ch. Four.
it left a large number of non-Muslims in Pakistan and an even larger number of Muslims in India. Thus arose the problem of minorities in the two countries. When serious communal disturbances broke out in India and Pakistan, on the eve of the Partition and towards the end of 1949 and early in 1950, each accused the other of maltreatment of the minorities and even issued threats of war. (46) As a consequence of mass-scale migrations of minorities between the two countries on the eve of the Partition, the problem of evacuee property also arose leading to serious differences between India and Pakistan. (47)

(iii) Dispute over the Waters of the Western and Eastern Rivers of the Subcontinent: The partition of the subcontinent gave birth to another problem, namely that of distribution of waters of the western and eastern river systems. The controversy over the projects on the eastern rivers were less serious and started agitating Indo-Pakistani relations only towards the end of 1960. (48) But the dispute over the distribution of the waters of the Indus river system was, from the beginning till its final solution in September 1960, "the most important of all Indo-Pakistani problems, next, perhaps, only to the Kashmir question". (49) As this dispute was a great irritant affecting the relations of the two countries and as it has not been discussed elsewhere in this dissertation, a brief account of it here will not be out of place.


(47) For details, see Ch. Five.

(48) Details given in Ch. Six.

Before the Partition, the land of the Punjab had been irrigated by six rivers — the Indus, the Jhelum, the Chenab, the Ravi, the Sutlej, and the Bias. In those days the irrigation system was developed in such a manner that it was mainly concentrated in the area around the Indus which the British owned as Crown Waste Lands. (50) This area fell in Pakistan after the Partition. The result was that Pakistan received 18 million field acres of irrigated land, whereas India received only 5 million acres in spite of the fact that India had a population of 20 million in the Indus basin, as against Pakistan's 22 million, and had also 35 million acres "crying out for irrigation" from the Indus basin sources. (51) Moreover, the three eastern rivers — the Ravi, the Sutlej, and the Beas — which rise and flow in India but later on join the Indus in Pakistan, together carried a little less than one-fifth of the total flow of the Indus river system. (52) Furthermore, out of the 168.4 million acre feet which was the mean annual flow of the Indus river system, only 72.6 million acre feet was thought to be used. (53) After the Partition, therefore, India wanted Pakistan to replace the supplies it received from the eastern rivers by building link canals from the western rivers. (54) Pakistan, on the other hand, was not prepared to agree to any diminution of supplies.

(50) Ibid., p. 154.
(53) Ibid., p. 240.
(54) Sisir Gupta, n. 49, p. 154.
from these rivers, as it not only needed them but also considered them to be its right as the lower riparian under international law. (55) This was the crux of the dispute.

In 1947, the Partition Committee for the Punjab agreed on a "standstill agreement" to maintain the status quo with regard to the waters of the Indus basin system till March 1948. When by April 1948 no new agreement was arrived at, the Indian authorities discontinued the delivery of water to Pakistan from the eastern rivers through two canals. (56) In Pakistan it was regarded as "undeclared non-violent war". (57) In May 1948 an agreement was reached under which in due course Pakistan was to tap alternative sources for the water of the eastern rivers. (58) But the tapping of alternative sources required an investment which Pakistan was "unwilling and perhaps unable to make". (59) The result was that Pakistan refused to implement the agreement. Thereupon began a long and tireless mediation of the World Bank in 1952 which ultimately resulted in a treaty on 19 September 1960, and the problem was finally settled. (60)

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(56) Sisir Gupta, India's Relations With Pakistan: 1954-57 (New Delhi, 1958), p. 36; also see Das Gupta, n. 46, pp. 163-4.

(57) Khan, n. 55, p. 326.


(59) Sisir Gupta, n. 49, p. 155.

The World Bank had suggested in February 1964 a formula for agreement which was not agreed to by Pakistan because under the terms of that suggestion the main burden of replacement works which would enable Pakistan to derive water from the western rivers only had to be borne by Pakistan itself. (61) In September 1960, Pakistan agreed almost to the same formula with the difference that under the Indus Water Treaty of 19 September 1960, the major share of the cost involved in the replacement works was to be contributed by the Western Powers, that India's share was to be Rs. 83.3 crores as against less than Rs 60 crores as proposed in 1954, and that India was also to supply waters from the eastern rivers of the Indus basin to Pakistan for a transitory period of ten years as against five as suggested in 1954. (62)

(iv) Distribution of Assets and Liabilities: The partition of the Indian subcontinent also created many immediate problems, such as the distribution of assets and liabilities and of the military stores of the former Central Government, readjustment of trade between India and Pakistan, and the common use of the Reserve Bank of India by them. About the distribution of assets, it was agreed in December 1947 that Pakistan would receive Rs 750 million from India as its own share of cash balances. Earlier, as an interim

(61) For details of World Bank's proposals of February 1954, see Das Gupta, n. 46, pp. 171-2.

measure a sum of Rs 200 million had already been advanced by India to Pakistan. But owing to the dispute over Kashmir, Patel, then Deputy Prime Minister of India, declared in December 1947 that the payment of the balance of Pakistan's share would be made simultaneously with the settlement of the Kashmir issue. There was strong resentment in Pakistan at this. Mahatma Gandhi also undertook a fast to force the Government of India to reconsider its decision. The result was that Patel agreed to pay the sum to Pakistan immediately. (63)

Again, there was the question of sharing the former Central Government's debts. India assumed the entire responsibility of these debts, and Pakistan was to pay its share later to India. Pakistan, however, has never paid its share. (64)

(v) Division of Military Stores: Under the Partition plan, a Supreme Command under Field Marshal Auchinleck was set up to supervise the division of military stores of the former Central Government which was to be completed by April 1948. But soon controversies arose over the continuance of this Command. Pakistan's Prime Minister was in favour of its continuance, while India's Deputy Prime Minister was against it. The result was that the British Government wound up this Command on 30 November 1947. (65) Pakistan has continued to complain about it until today. It has contended that by compelling the early closure of the Command India

(63) Details in Das Gupta, n. 46, pp. 46-47. Also see W. Norman Brown, The United States and India and Pakistan (Cambridge, Mass., 1963) revd edn, p. 166.

(64) Details given in Ch. Six.

(65) For details see Campbell-Johnson, n. 10, pp. 248-9; also Das Gupta, n. 46, pp. 48-49.
deprived it of its share of military stores and later justified its joining of the US military pact on this ground. (66)

(vi) **Trade Relations:** As India and Pakistan no longer remained one country after the Partition, the question of readjustment of their trade relations arose. In August 1947 the two countries agreed on a Standstill Agreement under which there was to be unrestricted flow of goods between them until February 1948. Meanwhile, Pakistan demanded a share on the export duty on jute collected by India. As the Indian Government failed to agree to this, the Government of Pakistan imposed in October 1947 customs restrictions on goods coming from and going to India. India soon retaliated by imposing tariff restrictions on Pakistani jute and "an economic war" between the two countries started. This "war" lasted till May 1948. Although after May 1948 the situation improved for a while, the same story was repeated following the devaluation of the Indian rupee in September 1949 and continued till February 1951. (67)

(vii) **Use of the Reserve Bank of India:** It had been agreed to before the Partition that the Reserve Bank of India would act as banker and Currency Authority for both India and Pakistan until 1 October 1948 and that Pakistan should set up its own bank by then.

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In January 1948, the Finance Minister of Pakistan complained against what he called India's interference with the Reserve Bank of India and even called it "an act of aggression". Although the Indian Finance Minister denied that charge, it was mentioned in the UN Security Council by the Pakistani Foreign Minister in May 1948. The controversy ended with the setting up of the State Bank of Pakistan in July 1948. (68)

Problems of Native States The transfer of power to the Dominions of India and Pakistan in August 1947 without settling the fate of the native States of the subcontinent created some major disputes between them, including that of Kashmir. While transferring power to Indian and Pakistani hands, the British Government created a vacuum of control over the native States. Political arrangements between the native States on the one hand and the British Government on the other were brought to an end, and the void was to be filled either by the States entering into a federal relationship with the successor Government or Governments or by entering into particular political arrangements with one or both of them. (69) The result was that for some time there was a scramble by India and Pakistan for securing the accession of these States. The Muslim League tried to obtain the accession of even non-Muslim States. Jinnah obtained

(68) Details given in Das Gupta, n. 46, pp. 47-48.

the accession of the ruler of Junagadh and even tried to get the accession of Jodhpur and Jaisalmer. (70) It was emphasized that the ruler of a State had the sole right to accede to either of the two Dominions without reference to moral or ethnic aspects of accession. (71) The Muslim League also strongly supported the British Government's theory that the States could even remain independent if their rulers so decided. (72) It even tried to keep some States which were not physically contiguous to Pakistan (like Hyderabad and Travancore Cochin) independent possibly because their accession to Pakistan was very difficult. Referring to Jinnah's assurance of support to those States which wanted to remain independent, the official organ of the Muslim League, Dawn, opined editorially on 10 June 1947 that "we would not be surprised if a number of even non-Muslim states decided eventually either to join the Pakistan Constituent Assembly or enter into closer treaty relations with Pakistan than with India" and added that Hyderabad and Travancore would "firmly stand" up to the "threat" of the Congress "and refuse to be bullied and their example should hearten others who have not yet made up their minds". Encouraged by this, the Dewan of Travancore even announced his intention to appoint a Trade Agent (73) in Pakistan, and this was welcomed editorially on 23 June 1947 by Dawn under the caption "Happy Augury".

(70) About Jodhpur and Junagadh see Menon, n. 69, pp. 116-17; see also Michael Edwards, n. 38, p. 193.


(72) See Jinnah’s statements of 13 and 17 June and 31 July 1947 as quoted in Das Gupta, n. 46, p. 59.

(73) Menon, n. 69, p. 91.
The Congress, on the other hand, strongly opposed any idea of a State remaining independent, (74) warned the States against any such designs, (75) and went to the extent of contending that if any State did not accede to either of the two Dominions, the Indian Dominion would assume responsibility for the defence and protection of that State as was the case earlier during the British rule. (76) It also tried hard to obtain the accession of States which were within and contiguous to the Indian Dominion.

By 14 August 1947 all but three of the 565 States, namely Junagadh, Hyderabad, and Kashmir, acceded to either of the Dominions. (77) Disputes arose between India and Pakistan with respect to each of these three States.

(i) Junagadh: Junagadh, which had an area of 3,337 square miles and a population (according to 1941 census) of 670,719, was predominantly a Hindu-populated State with a Muslim ruler. It was almost entirely bounded by other Indian States except in the south and south-west, where lay the Arabian Sea. The distance between Karachi and its port Veraval was about 300 miles. Inside Junagadh there were islands of territory belonging to the States which had acceded to India. Its railways and posts and telegraphs formed an integral part of the Indian system. (78) India was, therefore, interested in its accession. But Pakistan, which had a direct access to it by sea, also showed interest in the State, granted a

(75) Nehru's statement of 18 April 1947, ibid., p. 78.
(76) Das Gupta, n. 46, p. 58.
(77) Campbell-Johnson, n. 10, p. 358.
(78) Menon, n. 69, p. 124; also Campbell-Johnson, n. 10, pp. 191-2.
loan of Rs 8 crores to its ruler, (79) and ultimately obtained its ruler's accession. The Indian Government protested against this accession and finally sent its troops to points nearby. In the confusion that followed, the Nawab of Junagadh fled to Pakistan, and his Dewan invited the Government of India to take over the State's administration. In February 1948 the Government of India conducted a referendum in which the overwhelming majority of the people of the State decided in India's favour. The Government of Pakistan strongly protested against the Indian action, and moved the matter to the UN Security Council. Till this day Pakistan continues to regard Junagadh as Pakistani territory (80) and accuses India of committing aggression against Pakistan. (81)

(11) Hyderabad: The case of Hyderabad was almost identical with that of Junagadh, but on a larger scale. Like Junagadh, it had a Muslim ruler, the Nizam, and its population was overwhelmingly Hindu. But it was large in size and population. It differed from Junagadh on two main points. First, at no time did it accede to Pakistan. Secondly, it had no access to Pakistan and was surrounded on all sides by Indian territory. The Nizam of Hyderabad wanted to remain independent and expressed his idea of joining Pakistan if


(80) For details of the Junagadh story, see Das Gupta, n. 46, pp. 60-68; Menon, n. 69, pp. 124-50; Campbell-Johnson, n. 10, pp. 190-4, 209-10, 223, and 237; Brown, n. 63, pp. 174-5; also Sarwar Hasan, n. 27, pp. 81-84; W.A. Wilcox, n. 37, pp. 56-58.

pressed by India to do otherwise. (82) The Government of India was not prepared to accept such position. Many protracted negotiations were held between the Government of India and the Hyderabad State between July 1947 and September 1948. During this period the Nizam of Hyderabad increased his contacts with Pakistan. He appointed as President of his Executive Council in November 1947 a man who had been Pakistan's representative to the United Nations, (83) granted a loan of Rs 20 crores to Pakistan, (84) and imported some Pathans for his forces. (85) Pakistan served as the base for international gun-running between London and Hyderabad. (86) A Muslim organization, the Razakars, had also been formed. It had the support of the Nizam, and it "looted Hindu shops, raided railway trains, molested women, and generally took law into their own hands". (87) All this offended the Indian Government. On 13 September 1948 the Indian Army marched into Hyderabad and subsequently took over the administration of the State. Pakistan criticized this action of the Indian Government and wanted the Security Council to discuss it. The Nizam had earlier appealed to the world body, but later, on 23 September 1948, urged the withdrawal of the case. (88) To this day Pakistan complains

(82) Menon, n. 69, pp. 319, 329.
(83) Ibid., pp. 333-4.
(84) Campbell-Johnson, n. 10, p. 289.
(85) Menon, n. 69, p. 371.
(86) Das Gupta, n. 46, p. 72.
(88) Details of the Hyderabad dispute is given in Menon, n. 69, pp. 314-89; Campbell-Johnson, n. 10, pp. 231-3, 288-9, 328-39, and 347-50; Das Gupta, n. 46, pp. 68-74; Smith, n. 87, pp. 27-46; Brown, n. 63, pp. 175-9; K, Sarwar Hasan, n. 27, pp. 84-86; and Wilcox, n. 80, pp. 63-65.
against the Indian police action in Hyderabad and lists it as one of the cases of Indian "aggression". (89)

(iii) **Kashmir**: But the bitterest of all Indo-Pakistani disputes is that over Kashmir, a state with a predominantly Muslim population and a Hindu ruler and territories contiguous to both India and Pakistan. This issue has been discussed in detail in the next two chapters.

The above problems, which resulted from the Partition, with which India and Pakistan were confronted immediately after the division of the Indian subcontinent, and which created a lot of bitterness between them, limited the possibility of a healthy development of relations between them. From their very birth they started with a bitter legacy. This greatly determined their mutual relations. This was more so in the case of Pakistan which, obsessed by its power disparity **vis-a-vis** India, felt that India wanted to destroy it during the early days of its existence. (90) In the words of Keith Callard, India filled the role of a foreign policy "enemy" for Pakistan and "consequently the primary objective of Pakistan's foreign policy has been to strengthen her position

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(89) Bhutto's statements, n. 81.

Although this was not exactly the case with India, which had many preoccupations in addition to its relations with Pakistan, it is a fact that Pakistan was always an important factor in India's foreign policy.

**New Factors**

During 1947-60, some new factors also emerged which shaped the policies of the two countries regarding each other. The most important was Pakistan's membership of the Western military alliance and US military aid to Pakistan. Another new factor, namely Sino-Pakistani collaboration, which took definite shape during 1960-65 and determined Indo-Pakistani relations during that period, also started developing during 1947-60, particularly after

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(93) Brecher opines that "India's policies outside the sub-continent are markedly influenced by the 'permanent conflict' with its Muslim neighbour", Michael Brecher, *India's Foreign Policy: An Interpretation* (Mimeographed, New York, N.Y., 1957), p. 17. Also Brecher, n. 1, pp. 575-6. A similar view is expressed in Palmer, n. 13, p. 213. He writes: "When Prime Minister Nehru was once asked by the Indian journalist, Frank Moraes, to name the diplomatic post abroad which he considered to be most important, he replied unhesitatingly: 'Karachi'."
1955. Added to this was mutual accusation by India and Pakistan of their involvement in each other's internal troubles. There were also internal pressures which compelled the Governments to adopt inflexible attitudes.

**US Military Aid to Pakistan and Pakistan's Membership of the Western Alliances**

US military aid to Pakistan and Pakistan's subsequent membership of Western military pacts — South-East Asia Treaty Organization (SEATO), in September 1954 and the Baghdad Pact, later known as Central Treaty Organization (CENTO), in July 1955 — proved harmful to Indo-Pakistani relations. As early as 9 December 1953, in his letter to Pakistan's Prime Minister, Mahomed Ali, Nehru contended that US military aid to Pakistan would "completely" change the aspect of the Kashmir problem and that the question had now become "one of militarisation and not demilitarisation". (94) About a fortnight later, he remarked in the Lok Sabha that the American military aid to Pakistan "upsets all kinds of balances, the present, existing equilibrium and all that". (95) Its immediate impact was that it sealed the fate of the talks on Kashmir which were taking place at that time between Nehru and Mohammed Ali. (96) So far as its long-term effect was concerned, it has been ably summed up in the following words by Selig Harrison: "In case of India, what began as an emotional outburst

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(95) India, Parliamentary Debates, vol. 10, pt 1, 23 December 1953, col. 2983; see also cols 2975-85.

has hardened into an enduring sense of injury. ... For her part, as The Observer has declared, Pakistan 'has felt encouraged by her military relationship with the United States to regard herself as "the brave little Belgium" of the Indian sub-continent." (97) Selig Harrison, on another occasion, further wrote: "As an ally permitting the use of its territory for strategic intelligence purposes, Pakistan has commanded from the United States an economic and military aid subsidy much larger than her size would otherwise warrant. Rawalpindi has been emboldened by this to think big and to press for Indian concessions from a position of artificially induced strength." (98) Moreover, Pakistan's receipt of the US military aid and alignment with the West attracted Soviet support to India on Kashmir, and this further complicated the problem. (99)

**Development of Sino-Pakistani Entente**

Sino-Pakistani collaboration, which became a major factor in Indo-Pakistani relations during 1960-65, also began developing specifically after 1955. As early as 1950 Pakistan recognized the People's Republic of China and subsequently exchanged diplomatic missions with it in 1951. In spite of the fact that Pakistan had joined the Western system of alliances, on 15 July 1954 Pakistan's Prime Minister Mohammed Ali indicated his country's support for Communist China's admission in the United Nations. (100) It was further reported that

(97) Ibid., p. 21.


when Pakistan joined the SEATO, China, unlike the Soviet Union, did not protest. (101) On the occasion of the Bandung Conference of 1955 the Chinese Premier is, moreover, said to have accepted Pakistan's assurance that its adherence to the SEATO was not directed against Peking. (102) After the Bandung Conference, reports Rushbrook Williams on the basis of an "unimpeachable authority", Karachi also received a private message from Peking in which the Chinese Government assured the Government of Pakistan that there was no conceivable clash of interests between the two countries which could imperil their friendly relations and that this did not apply to Sino-Indian relations, in which a definite conflict of interests could be expected in the near future. (103) In 1956 the Prime Ministers of Pakistan and China exchanged visits to each other's country and their joint communiqué issued during the latter's visit to Pakistan said that there was no real conflict of interests between their countries. (104) In October 1956, the Chinese Premier again announced that Pakistan's membership of the SEATO was no bar to friendly relations between China and Pakistan. (105) Relations between the two countries further improved, and their cultural, economic, and postal links were strengthened. On 23 October 1959 the President of Pakistan also disclosed Pakistan's


(102) Ibid. See also Dawn, 11 April 1963 for the text of Premier Chou En-lai's interview with the correspondent of the Associated Press of Pakistan.

(103) Rushbrook Williams, n. 39, p. 120.


(105) Dawn, 24 October 1956.
intentions to approach China for a peaceful settlement of their border. (106)

Some Fresh Problems During 1947-60, India and Pakistan allegedly started taking interest in each other's internal troubles. India accused Pakistan of the latter's involvement in the Naga problem, while Pakistan charged India with inciting troubles in East Pakistan. These have been discussed in Chapter Six.

Internal Pressures Public opinion in the two countries also prevented their Governments from taking a flexible attitude towards each other. The best example of this is the severe attack at home on Pakistan's Prime Minister, Mohammed Ali, after his return to Karachi from New Delhi in May 1955 which made him change the stand he had taken in New Delhi and adopt an inflexible posture. (107)

As a result of the above-mentioned forces and factors - traditional, resultants of the Partition, and new - Indo-Pakistani relations were marked most of the time by a cold war and were hardly ever warm and cordial.

BRIEF SURVEY OF INDO-PAKISTANI RELATIONS 1947-1960

With the exception of some temporary phases, when there were chances of improvement, on the whole Indo-Pakistani relations during 1947-60, and particularly during 1947-58, were characterised by hostility and tension. Their relations during 1947-60, may be

(106) Details of the development of Sino-Pakistani friendship is given in Hafeez-ur-Rahman, n. 100, pp. 223-9. For President Ayub's statement also see Dawn, 24 October 1959.

(107) For details, see Lord Birdwood, Two Nations And Kashmir (London, 1956), pp. 201-3; also see Sisir Gupta, n. 36, pp. 291-3.
divided into three periods: (a) from 1947 to 1951; (b) from 1952 to mid 1958; and (c) from mid 1958 to September 1960.

Relations during 1947-1951

The unhappiest period in the history of Indo-Pakistan relations till September 1960 was the early phase of their relations, from August 1947 to the end of 1951, with the exception of a brief occasion in April 1950, when the Prime Ministers of the two countries signed the Nehru-Liaquat Agreement. During this period, an armed clash took place over Kashmir in 1947-48. Moreover, a number of issues, discussed above, arose which created bitterness and tension between India and Pakistan. In fact, their very birth as independent states was attended by a communal holocaust, termed by Sir Evans Jenkins "the war of succession", (108) and by large-scale migrations, the like of which the world had never seen before. (109) As stated earlier, on the eve of the communal disturbances in September 1947 and March 1950 there were threats of war from both the countries. Following the communal holocaust in East Pakistan and India in March 1950 and the Pakistani slogans for a jehad over Kashmir in July 1951, concentration of Indian troops were also reported. (110) Other issues, moreover, continued to embitter Indo-Pakistani relations, including the economic war between them which continued till February 1950.

(109) Brown, n. 63, p. 162.
Relations between 1952 and Mid 1958

After 1961, the relations between India and Pakistan improved a little. Many of the disputes - like those of distribution of the assets, division of military stores, and the use of the Reserve Bank and also those relating to Junagadh and Hyderabad - had already been disposed of one way or the other and the economic war had also ended. Moreover, from 1952 onwards, the mediation of the World Bank over the Indus basin waters kept alive the hope of an amicable settlement of that dispute.

However, there were still a good many problems between them such as those of Kashmir, the border, the evacuee property, and communal harmony, and the Indus waters problem gave rise to anxiety. A complete deadlock was reached over Kashmir by September 1955, and after the adoption of a constitution for Kashmir the matter was once again debated, on a complaint from Pakistan, in the Security Council in 1957. (111) This put further strain on Indo-Pakistani relations. Serious border incidents were reported in 1956 and in mid 1958, (112) and it was alleged that in February 1957 India had massed its troops on the Pakistani border. (113) The exodus of non-Muslims from East Pakistan to India continued at a very high rate during 1954-56. (114) A complete impasse was reached over the issue of immovable evacuee property during 1952-55. (115) On the Indus waters problem as well no agreement was in sight, and the suggestion made by World Bank in

(111) Discussed in Ch. Two.
(112) Discussed in Ch. Four.
(113) Aslam Siddiqi, n. 110, p. 71.
(114) Details in Ch. Five.
(115) For details, see Das Gupta, n. 46, p. 205.
February 1954 had been found unacceptable by Pakistan. In July 1958, moreover, India expelled Pakistan's Assistant High Commissioner in Shillong and Pakistan asked for the withdrawal of India's First Secretary in Dacca. (116) Thus, although their relations between 1952 and 1958 were never as bad as they were during 1947-51, they were not good either. In fact, there were only two occasions between 1952 and mid 1958, both during the Prime Ministership of Mohammed Ali in Pakistan, when there were some chances of improvement in their relations. And in both cases they were soon thwarted by adverse forces.

One of the two occasions during 1952-58 when relations indicated some improvement was in July-August 1953, and the other was in May 1955. July and August 1953 were marked by direct talks between the Prime Ministers of India and Pakistan in which they agreed about some sort of a solution regarding Kashmir. But this healthy atmosphere was soon destroyed by Sheikh Abdullah's dismissal from Kashmir's Prime Ministership and by Western military aid to Pakistan. (117) With the visit of Pakistan's Governor-General to India in January 1955, Indo-Pakistani relations once again showed an upward trend. This reached its climax when the Prime Minister of Pakistan visited New Delhi in May that year, and there were reports of a discussion of some new ideas for the settlement of the Kashmir dispute. But, again, in face of strong opposition in Pakistan to these new ideas on Kashmir, the Pakistani Prime Minister reverted to his old position of a plebiscite in Kashmir. In July 1955, Pakistan also joined the Baghdad Pact and

(116) For details, see Ch. Six.

(117) For details, see Sisir Gupta, n. 36, pp. 259-85.
about the same time India's Home Minister, G.B. Pant, issued a statement to the effect that the conditions with regard to Kashmir had changed. Thus, an opportunity to improve Indo-Pakistani relations was, again, lost. (118)

Relations between September 1958 and September 1960

Since September 1958, when the Prime Ministers of India and Pakistan signed a border agreement, there was a slow but gradual trend towards improvement of Indo-Pakistani relations which reached its climax in September 1960, when the Prime Minister of India and the President of Pakistan put their signatures to the Indus Waters Treaty on 19 September and issued a joint communiqué on 23 September. During this period there were also occasions when unhappy incidents took place. For example, about Kashmir, General Ayub Khan declared, as Chief Martial Law Administrator of Pakistan, in October 1958 that "We shall be indefinitely glad to have a settlement through peaceful means, but if we are forced to adopt means other than peaceful, the blame will surely lie at the door-steps of Bharat". (119) Some similar statements were also made later by him as the President of Pakistan. (120) Following the coups d'états in Pakistan in October 1958 some comments deploiring the military regime of Pakistan were made in India which somewhat strained the relations between the two countries for the time being. (121) In

(118) Ibid., pp. 285-95.


(120) Sisir Gupta, n. 36, pp. 340-1.

(121) For details see Editorial Staff, "Pakistan's Relations with India: The Recent Phase", Pakistan Horizon, vol. 12 (1959), pp. 263-75.
April 1959, moreover, there was tension following the shooting down of an Indian Air Force Canberra over Pakistani territory by a Pakistani Air Force jet plane. (122) As referred to earlier, an indication of Pakistan's willingness to negotiate with China on the subject of demarcating the border between China and Azad Kashmir was also given by the Pakistani President in October 1959. In addition to this, the construction of the Mangla Dam by Pakistan in Azad Kashmir on the one hand, and the trial of Sheikh Abdullah, fresh Indian attempts to integrate Kashmir with the Union, and the possibility of India negotiating with China over Ladakh, on the other, created unpleasantness between India and Pakistan. (123) However, if considered in their entirety, the Indo-Pakistani relations during September 1958 - September 1960 indicated a trend towards the better.

Efforts for the betterment of Indo-Pakistani relations started with the exchange of gestures of goodwill by the Prime Ministers of India and Pakistan in August 1958. (124) On 3 September Pakistan's Prime Minister Feroz Khan Noon declared in the Pakistan National Assembly that he would not advocate war with India and would try to settle all disputes through peaceful negotiations. (125) Just a week after this, on 10 September, the Prime Ministers of India and Pakistan signed the Nehru-Noon Agreement by which they settled

(122) For details see "Notes: The Canberra Incident", ibid., pp. 153-60; also see India's Defence Minister Krishna Menon's statement in Lok Sabha Debates, series 2, vol. 29, 11 April 1959, cols 11183-6.


(125) Dawn, 4 September 1958.
many of the border disputes. (126) Following a short meeting at Palam airport between Prime Minister Nehru and President Ayub Khan on 1 September 1959, (127) two Ministerial level border conferences, one in October 1959 and the other in January 1960, took place, and as a result almost all the border disputes, except the one relating to the Rann of Kutch, were settled. (128) The Indus waters problem, which was a great irritant in Indo-Pakistani relations, was also on its way to final settlement and was finally settled by a treaty on 19 September 1960. Moreover, in March 1959, the President of Pakistan proposed a joint defence agreement between the two countries (129) which he repeated in April 1959 (130) and July 1960. (131) This, however, was not accepted by Nehru because he thought that it would be against India's policy of non-alignment (132) and because Pakistan made the signing of a joint defence agreement subject to a prior settlement of the Kashmir dispute on a satisfactory

(126) For details, see Ch. Four.

(127) In their joint statement issued that day the two leaders agreed to settle their problems "in accordance with justice and fair play in a spirit of friendliness, cooperation and good neighbourliness". Text of the joint statement is given in Lok Sabha Secretariat, n. 62, p. 364.

(128) Details are given in Ch. Four.

(129) Manzur Qadir, n. 28, p. 6.


(132) See Nehru's statement in Rajya Sabha Debates, vol. 25, 4 May 1959, cols 1675-6. He said: "... I do not understand when people say that we have a common defence policy. 'Against whom? .... 'Against whom is this common defence policy?' Are we going to become members of the Baghdad Pact or the SEATO or some body?"
basis. (133) Again, the migration of non-Muslims from East Pakistan to India, which had created a tense situation during 1954-56, diminished considerably by 1957. (134) Some agreements were also reached with regard to movable evacuee property. (135) Furthermore, in 1959 the long-continuing deadlock over the Partition debt was at last broken when the matter was discussed at the Finance Ministers' level. (136) After the rejection of Graham Report by India in March 1958, the Kashmir issue also ceased to be debated in the United Nations for quite some time. (137) On 11 March 1960, Pakistan's Foreign Minister, Manzur Qadir, even declared that he was "firmly convinced that however insoluble the Kashmir question might look, it is not in fact insoluble and a solution will be found for it". (138) In fact, he also remarked that most of the disagreement about several matters which existed between India and Pakistan "is no longer there and I hope the rest will disappear very soon". (139) Thus, when the Prime Minister of India personally visited Pakistan, signed with the President of Pakistan the Indus Waters Treaty on 19 September 1960, and the two issued a joint communique covering the whole range of Indo-Pakistani relations on 23 September 1960, a very happy stage was reached in Indo-Pakistani relations. (140) It was hoped that a

(133) See Ayub's statements of 10 May and 20 December 1959 respectively in Dawn of 11 May and 21 December 1959.
(134) Discussed in Ch. Five.
(135) Discussed in Ch. Five.
(136) Discussed in Ch. Six.
(137) Discussed in Ch. Two.
(138) Manzur Qadir, n. 28, p. 7.
(139) Ibid., p. 4.
(140) Text of the joint communique is given in Lok Sabha Secretariat, n. 62, pp. 365-7.
new era in Indo-Pakistan relations was in sight. But this hope was soon belied. From October 1960 the two countries were again in their old moods and a full-fledged cold war began between them over the Kashmir issue.